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SAN DIEGO CA 92101

In re Application of:
WALKER, BLAIR D. et al
Serial No. 09/939,239
Filed: Aug. 24, 2001
Docket: 1156.036

Title: METHOD FOR A CENTRAL VENOUS
LINE CATHETER HAVING A
TEMPERATURE CONTROL SYSTEM

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2/18/09
: DECISION ON PETITION
: UNDER 37 CFR § 1.181
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This is a decision on the petition filed January 10, 2009 under 37 CFR § 1.181 requesting removal of Supplemental Examiner's Answer mailed on January 7, 2009 because the Supplemental Examiner's Answer was not signed by a Technology Center Director. This petition is being considered pursuant to 37 CFR § 1.181, and no fee is required.

The petition is dismissed.

In the petition, petitioner indicates that the Supplemental Examiner Answer mailed on January 7, 2009 does not bear the requisite Technology Center Director permission for a Supplemental Examiner's Answer. Therefor, petitioner opines that the paper is a mini-essay that is entitled to no weight or consideration and should be stricken from the record.

A review of the Supplemental Examiner's Answer of January 7, 2009 (at the top of page 3) does show a signature from a Technology Center Director. Therefore, the Supplemental Examiner's Answer is proper in accordance with MPEP § 1208.

In view of the presence of the Director's signature in the Supplemental Examiner's Answer as noted above, the petition is moot and subject to dismissal.

The application is being forwarded to the Board of Patent Appeals and Interferences for further process and docketing. Any inquiry regarding this decision should be directed to Henry Yuen, Special Program Examiner, at (571) 272-4856.

PETITION DISMISSED AS MOOT.

Donald T. Hajec, Director
Technology Center 3700